

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY _____ D.C.

05 SEP -7 PM 12:32

THOMAS H. SOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

AMERISURE INSURANCE COMPANY)

Plaintiff,)

v.)

No. 1-04-1159-T/An

H&M CONSTRUCTION COMPANY, INC.,)
BPB AMERICA, INC., d/b/a BPB CELOTEX)
(Successor in Interest to Celotex Corporation),)
and BMH AMERICAS, INC.,)

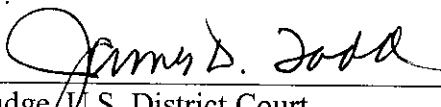
Defendants.)

PROPOSED ORDER SUSPENDING ALL DEADLINES PENDING SETTLEMENT

Plaintiff Amerisure Insurance Company and Defendants H&M Construction Company, Inc., BPB America, Inc. d/b/a BPB Celotex (successor in interest to Celotex Corporation) and BMH Americas, Inc. (the "Parties") have moved this Court to suspend all pending deadlines in this case, based on a tentative settlement of this case that is in the process of being memorialized. The Court is otherwise sufficiently advised.

IT IS HEREBY ORDERED that all pending deadlines in this action, including Defendants' deadline to file their responses to Plaintiff's Motion for Summary Judgment (Docket No. 21), are hereby SUSPENDED. In the event a final order of dismissal is not filed with the Court on or before October 3, 2005, this Court will schedule a status conference related to (i) the status of completion of the pending settlement and/or (ii) the rescheduling of all pending deadlines that have been suspended based on this Order.

Entered this 6th day of September, 2005.



Judge, U.S. District Court

Approved for Entry:

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Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 1:04-CV-01159 was distributed by fax, mail, or direct printing on September 8, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT